Appln. of: BEATTIE, James C.
Serial No.: 10/615,385
Filed: July 9, 2003

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1-16, 18-20, 23-38, 40-42, 45-48, and 50-52 are pending in this application, with claims 17, 21, 22, 39, 43, 44 and 49 being herewith cancelled without prejudice.

Claims 1-6, 11, 12, 17-21, 23-28, 33, 34, 39-43, 45, 46 and 48-52 stand rejected under 35 USC 102(b) as being anticipated by Mastrangelo.

The invention of claim 1 is directed to a disk brake caliper mounting bracket, comprising:

> an axle tube mounting portion; and
> a brake caliper mounting portion;
> wherein, the axle tube mounting portion is constructed and arranged to engage a portion of a wheel mount, the wheel mount being attachable to an axle tube, to place the brake caliper mounting portion in alignment with a wheel mounting portion of the wheel mount, wherein the axle tube mounting portion and the brake caliper mounting portion are aligned at an angle to one another which is equal to an angle between axes of the axle tube and the wheel mounting portion of the wheel mount, the angle being greater than 0°.

As described in the specification at page 7, such a disk brake caliper mounting bracket provides an easy, effective manner in which to properly position and align the brake caliper with respect to the brake rotor, which is rotationally mounted on the wheel mounting portion of the wheel mount. Once the bracket is clamped to the wheel mount 102, the alignment of the caliper with respect to the brake rotor is guaranteed by the machined alignment between the brake caliper mounting portion 14 and the axle tube mounting portion 12 of the bracket 10. No adjusting or shimming is required to get a quick, easy, repeatable and perfect bolt-on positioning and alignment of the brake caliper with respect to the brake rotor. When a wheel mount is to be exchanged for a wheel mount having a different camber, the bracket is likewise

exchanged for a bracket having an alignment angle between the axle tube mounting portion and the brake caliper mounting portion which is equal to the camber of the newly exchanged wheel mount, such camber being greater than 0°. This easily, quickly and simply guarantees the retention of the perfect alignment between the brake caliper mounted to the bracket and the rotor mounted to the wheel mount, even though the camber angle has changed.

Mastrangelo does not even show a brake caliper mounting portion of the caliper bracket ("Caliper bracket 22 is shown partially cut-away but would include conventional features for mounting a disk brake caliper unit (not shown)." Col. 2, lines 37-40). Nor does it discuss alignment of the brake caliper with the brake rotor. Finally, it does not disclose or suggest anything about a wheel mount (separate from the axle flange mount) being mounted to the axle tube at an angle different than 0° (i.e., the camber of the wheel mount).

Therefore, Mastrangelo doesn't even recognize the problem solved by the present invention, being able to quickly, easily and accurately match the alignment angle of a brake caliper with an alignment angle (camber) of a wheel mount (and thus, a brake rotor mounted on the wheel mount at such camber to the axle tube), where the camber is different than 0°.

For these reasons, Mastrangelo does not anticipate or render obvious claim 1 as amended. Independent claims 23, 48 and 50 have been amended similarly to claim 1 and are believed allowable over Mastrangelo for these same reasons.

In addition, claim 1 requires that the axle tube mounting portion of the bracket be "constructed and arranged to engage a portion of a wheel mount, the wheel mount being attachable to an axle tube, to place the brake caliper mounting portion in alignment with a wheel mounting portion of the wheel mount". Mastrangelo does not disclose or suggest that

the caliper bracket 22 engage a wheel mount. Rather, the caliper bracket 22 of Mastrangelo, having the deficiencies discussed above, has the further deficiency with respect to claim 1 of being mounted to the axle tube flange, and not to a wheel mount.

Similarly, claim 48 requires that the axle tube mounting portion of the bracket be "constructed and arranged to be clamped between an end surface of an axle tube and a wheel mount to place the brake caliper mounting portion in alignment with a wheel mounting portion of the wheel mount". Mastrangelo does not disclose or suggest that the caliper bracket 22 be clamped between an end surface of the axle tube and a wheel mount. Rather, the caliper bracket 22 of Mastrangelo, having the deficiencies discussed above, has this further deficiency with respect to claim 48.

For these reasons, given above, Mastrangelo does not anticipate or render obvious any of independent claims 1, 23, 48 or 50 and it is respectfully requested that the rejections of these claims under Mastrangelo be withdrawn. The remaining claims all depend from these independent claims and are allowable for the same reasons as given above, as well as for the further limitations contained therein, and it is respectfully requested that these remaining rejections under Mastrangelo also be withdrawn.

Claims 7-10, 13-16, 29-32, 35-38 and 47 withdrawn from consideration by the Examiner all depend from one of the allowable claims, so it is respectfully requested that they also be indicated as allowable.

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In view of the above, it is believed that the application is in condition for allowance and such a Notice is respectfully requested. If anything else is needed to place the application in condition for allowance, it is kindly requested that the undersigned be contacted.

Respectfully submitted,

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